

## Arizona Peace Officer Standards and Training Board

**TITLE 13. PUBLIC SAFETY****CHAPTER 4. ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD**

(Authority: A.R.S. § 41-1822(1) et seq.)

*The Arizona Law Enforcement Officer Advisory Council's name was changed by Laws 1994, Ch. 324, § 1, effective July 17, 1994. All references to the Council were changed to reflect the new Board. (Supp. 94-3).*

**ARTICLE 1. GENERAL PROVISIONS**

*New Article 1 consisting of Sections R13-4-101 through R13-4-118 adopted effective March 23, 1989.*

*Former Article 1 consisting of Sections R13-4-01 through R13-4-08 repealed effective March 23, 1989.*

## Section

- R13-4-101. Definitions
- R13-4-102. Internal Organization and Control of the Board
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- R13-4-114. Minimum Course Requirements
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- R13-4-118. Hearings; Rehearings

**ARTICLE 2. CORRECTIONAL OFFICERS**

*Article 2, consisting of Sections R13-4-201 through R13-4-208, adopted effective December 16, 1992, filed June 16, 1992 (Supp. 92-2).*

## Section

- R13-4-201. Definitions
- R13-4-202. Uniform Minimum Standards
- R13-4-203. Background Investigation
- R13-4-204. Records and Reports
- R13-4-205. Basic Training Requirements
- R13-4-206. Continuing Training Including Firearms Qualification
- R13-4-207. Repealed
- R13-4-208. Re-employment of State Correctional Officers

**ARTICLE 1. GENERAL PROVISIONS****R13-4-101. Definitions**

In this Article, unless the context otherwise requires:

“Academy” means an entity that conducts a Board-prescribed peace officer basic course, specialty officer basic course, or limited-authority basic course.

“Agency” means a law enforcement entity empowered by the state of Arizona.

“Appointment” means the selection by an agency of a person to be a peace officer or peace officer trainee.

“Approved training program” means a course of instruction that meets Board-prescribed course requirements.

“Board” means the Arizona Peace Officer Standards and Training Board.

“Board-trained physician” means an occupational medicine specialist or a physician who has attended a Board course on peace officer job functions.

“Cancellation” means the annulment of certified status without prejudice to reapply for certification.

“Certified” means approved by the Board as being in compliance with A.R.S. Title 41, Chapter 12, Article 8 and this Chapter.

“Denial” means the refusal of the Board to grant certified status.

“Dangerous drug or narcotic” means a substance identified in A.R.S. § 13-3401 as being a dangerous drug or narcotic drug.

“Experimentation” means the illegal use of marijuana, a dangerous drug, or narcotic as described in R13-4-105(B) and (C).

“Full-authority peace officer” means a peace officer whose authority to enforce the laws of this state is not limited by this Chapter.

“Lapse” means the expiration of certified status.

“Limited-authority peace officer” means a peace officer who is certified to perform the duties of a peace officer only in the presence and under the supervision of a full-authority peace officer.

“Limited correctional peace officer” means a peace officer who has authority to perform the duties of a peace officer only while employed by and on duty with the Arizona Department of Corrections, and only for the purposes of guarding, transporting, or pursuing persons under the jurisdiction of the Arizona Department of Corrections.

“Peace officer” means the same as peace officer in A.R.S. § 1-215.

“Peace officer trainee” means a person recruited and appointed by an agency to attend an academy.

“Physician” means a person licensed to practice allopathic or osteopathic medicine in this or another state.

“Restriction” means the Board’s limitation on duties allowed to be performed by a certified peace officer.

“Revocation” means the permanent withdrawal of certified status.

“Service ammunition” means munitions that perform equivalently in all respects when fired during training or qualification to those carried on duty by the peace officer.

“Service handgun” means the specific handgun or equivalent that the peace officer carries for use on duty.

“Specialty officer” means a peace officer whose authority is limited to enforcing specific sections of the Arizona Revised Statutes or Arizona Administrative Code, as specified by the appointing agency’s statutory powers and duties.

“Success criteria” means a numerical statement that establishes the performance needed for a person to successfully demonstrate competency in a knowledge, task or ability required by this Chapter.

“Suspension” means the temporary withdrawal of certified status.

“Termination” means the end of employment or service with an agency as a peace officer, either through removal, discharge, resignation, retirement, or otherwise.

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1).  
Amended effective August 6, 1991 (Supp. 91-3). References to “Council” changed to “Board” (Supp. 94-3).  
Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### R13-4-102. Internal Organization and Control of the Board

- A. Scheduled meetings. The Chair, in consultation with the Board, shall set regular meeting dates of the Board and shall post notice of each regular meeting according to A.R.S. § 38-431.02.
- B. Meeting agenda. Items to be placed on the agenda for Board consideration shall be submitted no later than 20 days before the scheduled meeting.
- C. Special meetings. Except in the case of an emergency meeting declared by the Governor or the Chair, the Chair shall give at least five days’ written notice of a special meeting to each member of the Board and shall post notice of the special meeting according to A.R.S. § 38-431.02.
- D. Subcommittees. The Chair may appoint subcommittees to inquire into any matter of Board interest. Each subcommittee shall report its findings, conclusions, and recommendations to the Board, in a manner directed by the Chair.

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1). References to “Council” changed to “Board” (Supp. 94-3).  
Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### R13-4-103. Certification of Peace Officers

- A. Certified status mandatory. A person who is not certified by the Board or whose certified status is inactive shall not function as a peace officer or be assigned the duties of a peace officer by an agency, except as provided in subsection (B).
- B. Sheriffs are exempt from the requirement of certified status.
- C. A person shall satisfy the minimum qualifications and training requirements to receive certified status.
- D. Peace officer categories. The categories for which certified status may be granted are:
  1. Full-authority peace officer,
  2. Specialty peace officer,
  3. Limited-authority peace officer, and
  4. Limited correctional peace officer.
- E. Application for certification. A person who seeks to be certified as a peace officer shall make application as follows:
  1. Submit to an agency an application that contains all documents required by R13-4-105, R13-4-106(A) and (B), and R13-4-107;
  2. Obtain an appointment from an agency; and
  3. Obtain either a certificate of graduation from a Board-prescribed Peace Officer Basic Course or a certificate of successful completion of the waiver of training process prescribed by R13-4-110(D).
- F. Establishment or enforcement of qualifications, standards, or training requirements. The Board may waive in whole or in part any provision of this Article upon a finding that the best interests of the law enforcement profession are served and the public welfare and safety is not jeopardized by the waiver. The

Board may place restrictions or requirements on a peace officer as a condition of certified status.

- G. This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1).  
Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Amended by final rulemaking at 8 A.A.R. 3201, effective January 11, 2003 (Supp. 02-3).

#### R13-4-104. Peace Officer Category Restrictions

- A. Limited-authority peace officer.
  1. A limited-authority peace officer shall be in the presence and under the supervision of a full-authority peace officer when engaged in patrol or investigative activities performed to detect, prevent, or suppress crime, or to enforce criminal or traffic laws of the state, county, or municipality.
  2. A limited-authority peace officer may perform the following duties without supervision of a full-authority peace officer:
    - a. Directing traffic, or assisting with crowd control; or
    - b. Maintaining public order in the event of riot, insurrection, or disaster.
- B. Limited correctional peace officer. A limited correctional peace officer shall not engage in high-speed vehicular pursuit operations.
- C. Peace officer category change. A certified peace officer may be appointed to another peace officer category within the same agency without the background investigation, fingerprint check, and medical examination required in R13-4-105, R13-4-106, and R13-4-107 when these requirements were previously satisfied for appointment if:
  1. No more than 30 days have elapsed since the peace officer’s termination, and
  2. The change is to a category for which the officer is qualified under R13-4-110(A).
- D. Inactive status. Certified status of a peace officer becomes inactive upon termination.
- E. Lapse of certified status. Certified status of a peace officer lapses after three consecutive years on inactive status.
- F. Reinstatement from inactive status. A peace officer whose certified status is inactive and has not lapsed may have certification reinstated if the requirements of R13-4-105 are met for the new appointment, and if appointed:
  1. In the same peace officer category, or;
  2. As a specialty officer from inactive status as a full-authority peace officer.
- G. Active status as a specialty, limited-authority, or limited correctional peace officer does not prevent lapse of certified status as a full-authority peace officer.

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1).  
Amended effective August 6, 1991 (Supp. 91-3).  
Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### R13-4-105. Minimum Qualifications for Appointment

- A. Before appointment or attending an academy, a person shall meet the following minimum qualifications:
  1. Be a United States citizen;

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2. Be at least 21 years of age, except that a person may attend an academy if the person will be 21 before graduating;
  3. Be a high school graduate or have successfully completed a General Education Development (G.E.D.) examination;
  4. Undergo a complete background investigation that meets the standards of R13-4-106 except that a person may begin an academy before the results of the fingerprint check are returned. However, the person shall not graduate from the academy and the agency shall not receive reimbursement for the person's training expenses until a qualifying fingerprint check return is obtained;
  5. Undergo a medical examination that meets the standards of R13-4-107 within one year before appointment. An agency may make a conditional offer of appointment before the medical examination. If the medical examination is conducted more than 180 days before appointment, the person shall submit a written statement indicating that the person's medical condition has not changed since the examination;
  6. Not have been convicted of a felony or any offense that would be a felony if committed in Arizona;
  7. Not have been dishonorably discharged from the United States Armed Forces;
  8. Not have been previously denied certified status, have certified status revoked, or have current certified status suspended;
  9. Not have illegally sold, produced, cultivated, or transported marijuana for sale;
  10. Not have illegally used marijuana for any purpose within the past three years;
  11. Not have ever illegally used marijuana other than for experimentation;
  12. Not have ever illegally used marijuana while employed or appointed as a peace officer;
  13. Not have illegally sold, produced, cultivated, or transported for sale any dangerous drug or narcotic, other than marijuana;
  14. Not have illegally used a dangerous drug or narcotic, other than marijuana, for any purpose within the past seven years;
  15. Not have ever illegally used a dangerous drug or narcotic other than for experimentation;
  16. Not have ever illegally used a dangerous drug or narcotic while employed or appointed as a peace officer;
  17. Not have a pattern of abuse of prescription medication;
  18. Undergo a polygraph examination that meets the requirements of R13-4-106, unless prohibited by law;
  19. Not have been convicted of or adjudged to have violated traffic regulations governing the movement of vehicles with a frequency within the past three years that indicates a disrespect for traffic laws or a disregard for the safety of other persons on the highway;
  20. Read the code of ethics in subsection (E) and affirm by signature the person's understanding and agreement to abide by the code.
- B.** The illegal use of marijuana, or a dangerous drug or narcotic is presumed to be not for experimentation if:
1. The use of marijuana exceeds a total of 20 times or exceeds five times since the age of 21 years; or
  2. The use of any dangerous drug or narcotic, other than marijuana, in any combination exceeds a total of five times, or exceeds one time since the age of 21 years.
- C.** An agency head who wishes to appoint a person whose illegal use of marijuana or a dangerous drug or narcotic is presumed to be not for experimentation under this Section shall petition the Board for a determination that, given the unique circumstances of the person's use, the use was for experimentation. The petition shall:
1. Specify the type of illegal drugs used, the number of uses, the age at the time of each use, and the method by which the information came to the agency's attention, and any attempt made to verify the accuracy of the information; and
  2. State the factors the agency head wishes the Board to consider in making its determination. Those factors may include:
    - a. The duration of usage,
    - b. The motivation for use,
    - c. The time elapsed since the last use,
    - d. How the drug was obtained,
    - e. How the drug was ingested,
    - f. Why the applicant stopped using the drug, and
    - g. Any other factor the agency head believes is relevant to the Board's determination.
- D.** With respect to a limited correctional peace officer, previous completion of a background investigation conducted under R13-4-203 and a physical examination conducted under R13-4-202(A)(6), satisfies the requirements of this Section when there has been no interruption of employment by the agency, except that:
1. The limited correctional peace officer shall submit to a polygraph examination as required by subsection (A)(18); and
  2. The agency shall query the National Crime Information Center/Interstate Identification Index (NCIC/III), and the Arizona Criminal Information Center/Arizona Computerized Criminal History (ACIC/ACCH) and review the returns to determine that the person meets the requirements of this Section.
- E.** Code of Ethics. Because the people of the state of Arizona confer upon all peace officers the authority and responsibility to safeguard lives and property within constitutional parameters, a peace officer shall commit to the following Code of Ethics and shall affirm the peace officer's commitment by signing the Code.
- "I will exercise self-restraint and be constantly mindful of the welfare of others. I will be exemplary in obeying the laws of the land and loyal to the state of Arizona and my agency and its objectives and regulations. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty. I will never take selfish advantage of my position and will not allow my personal feelings, animosities, or friendships to influence my actions or decisions. I will exercise the authority of my office to the best of my ability, with courtesy and vigilance, and without favor, malice, ill will, or compromise. I am a servant of the people and I recognize my position as a symbol of public faith. I accept it as a public trust to be held so long as I am true to the law and serve the people of Arizona."
- F.** This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1).

Amended effective August 6, 1991 (Supp. 91-3).

Amended effective January 13, 1993; filed July 13, 1992

(Supp. 92-3). References to "Council" changed to

"Board" (Supp. 94-3). Amended effective October 20,

1995; filed with the Secretary of State April 20, 1995

(Supp. 95-2). Amended by final rulemaking at 8 A.A.R.

3201, effective January 11, 2003 (Supp. 02-3).

#### **R13-4-106. Background Investigation Requirements**

- A.** Personal history statement. A person who seeks to be appointed shall complete and submit to the appointing agency a personal history statement on a form prescribed by the Board before the start of a background investigation. The history statement shall contain answers to questions that aid in determining whether the person is eligible for certified status as a peace officer. The questions shall concern whether the person meets the minimum requirements for appointment, has engaged in conduct or a pattern of conduct that would jeopardize the public trust in the law enforcement profession, and is of good moral character.
- B.** Investigative requirements for the applicant. To assist with the background investigation, a person who seeks to be appointed shall provide the following:
  1. Proof of United States citizenship. A copy of a birth certificate, United States passport, or United States naturalization papers is acceptable proof.
  2. Proof of education. A copy of a diploma, certificate, or transcript is acceptable proof.
  3. Record of any military discharge. A copy of the Military Service Record (DD Form 214, Member 4) is acceptable proof.
  4. Personal references. The names and addresses of at least three people who can provide information as personal references.
  5. Previous employers or schools attended. The names and addresses of all employers and schools attended within the previous five years.
  6. Residence history. A listing of the complete address for every location that the person has lived in the last five years.
- C.** Investigative requirements for the agency. A complete background investigation includes the following inquiries and a review of the returns to determine that the person seeking appointment meets the requirements of R13-4-105, and that the person's personal history statement is accurate and truthful. For each person seeking to be appointed, the appointing agency shall:
  1. Query all the law enforcement agency records in jurisdictions listed in subsections (B)(5) and (B)(6);
  2. Query the motor vehicle division driving record from any state listed in subsections (B)(5) and (B)(6);
  3. Complete and submit a Fingerprint Card Inventory Sheet to the Federal Bureau of Investigation and Arizona Department of Public Safety for query;
  4. Query the National Crime Information Center/Interstate Identification Index (NCIC/III), and the Arizona Criminal Information Center/Arizona Computerized Criminal History (ACIC/ACCH), or the equivalent for each state listed in subsections (B)(5) and (B)(6);
  5. Contact all personal references and employers listed in subsections (B)(4) and (B)(5) and document the answers to inquiries concerning whether the person meets the standards of this Section;
  6. Administer a polygraph examination, unless prohibited by law. The results shall include a detailed report of the pre-test interview and any post-test interview and shall cover responses to all questions that concern minimum standards for appointment as required by R13-4-105, truthfulness on the personal history statement, and the commission of any crimes; and
  7. If the results of the background investigation show that the person meets minimum qualifications for appointment, has not engaged in conduct or a pattern of conduct

that would jeopardize public trust in the law enforcement profession, and is of good moral character, complete a report that attests to those findings.

#### **Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1).  
Amended effective January 13, 1993; filed July 13, 1992 (Supp. 92-3). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### **R13-4-107. Medical Requirements**

- A.** Medical Categories. The medical categories for certification are:
  1. Category I. No medical, physical, or mental circumstance exists that limits the person's ability to effectively perform all the duties of a peace officer or creates a reasonable probability of substantial harm to the person or others;
  2. Category II. A medical, physical, or mental circumstance exists that absent a reasonable accommodation by the appointing agency would limit the person's ability to effectively perform all the duties of a peace officer or create a reasonable probability of substantial harm to the person or others; and
  3. Category III. A medical, physical, or mental circumstance exists that despite reasonable accommodation by the appointing agency limits the person's ability to effectively perform all the duties of a peace officer or creates a reasonable probability of substantial harm to the person or others.
- B.** Eligibility for certified status.
  1. Category I. A person in Category I may be appointed if the person meets all other qualifications.
  2. Category II. If an agency chooses to make the required accommodation and appoint a person in Category II, and the examination was made by a Board-trained physician, the appointment may be made without further action by the Board. However, if the examining physician has not been trained by the Board, a medical review under subsection (H) by a Board-trained physician is required to determine eligibility for certified status. If the Board-trained physician agrees with the finding of the other physician, the appointment may be made without further action by the Board.
  3. Category III. If an agency wishes to appoint a person in Category III, the agency shall submit a letter to the Board asking for a determination of eligibility for certification. The letter shall include a report from a Board-trained physician identifying the medical limitations and the proposed accommodations. The Board shall determine the person's eligibility for certified status, based upon whether the appointing agency is able to make reasonable accommodations, and whether by placing restrictions or requirements on the person as a condition of certified status under R13-4-103(F), the person is able to perform the duties authorized within the restriction without endangering the person or others.
- C.** Medical, physical, or mental circumstances in Category II and Category III include:
  1. Angina pectoris;
  2. Asthma;
  3. Cancer - metastatic or leukemia;
  4. Cardiac arrhythmias or murmurs;
  5. Cerebral vascular accident;
  6. Chest pains of unknown origin;
  7. Contagious hepatitis;

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8. Contagious tuberculosis;
  9. Chronic respiratory disease;
  10. Diabetes, insulin dependent or ketosis-prone;
  11. Fixation of major joint;
  12. Hearing not specified in subsection (D);
  13. Herniated lumbar disc;
  14. Hypertension, uncontrolled;
  15. Inguinal hernia;
  16. Liver or renal dysfunction;
  17. Migraine headache;
  18. Myocardial infarction, history of;
  19. Paralysis;
  20. Pilonidal cyst;
  21. Prosthetic device, e.g., limbs, hearing aid, colostomy;
  22. Recurrent dislocation of a major joint;
  23. Schizophrenia or manic depressive psychosis;
  24. Scoliosis greater than 15 degrees;
  25. Seizure disorders;
  26. Current substance abuse;
  27. Valvular heart disease, uncorrected;
  28. Vision not specified in subsection (D) or monocular vision;
  29. Wasting disease, chronic, such as multiple sclerosis, myasthenia gravis, or amyotrophic lateral sclerosis; and
  30. Any other medical, physical, or mental circumstance that the examining physician determines may interfere with the person's ability to function as a peace officer effectively or may create a reasonable probability of substantial harm to the person or others.
- D.** Vision and hearing. Vision and hearing meeting the following requirements are classified in Category I:
1. Visual acuity of:
    - a. 20/20 or better uncorrected;
    - b. 20/20 or better, corrected by spectacles or hard contact lenses, if uncorrected acuity is 20/80 or better. The applicant shall demonstrate satisfactory adaptation to the contact lenses; or
    - c. 20/20 or better, corrected by soft contact lenses, if the uncorrected acuity is 20/200 or better. The applicant shall demonstrate satisfactory adaptation to the contact lenses;
  2. Vision capable of distinguishing basic color groups against a favorable background.
  3. Peripheral vision:
    - a. That does not reveal scotoma or quadrantonopia; or
    - b. In which vision perimeter testing is intact at 170 degrees; and
  4. Uncorrected hearing with no loss greater than 25 db in the 500, 1000, 2000, or 3000 hertz frequencies as measured by an audiometer.
- E.** Medical history. A person who seeks to be appointed shall supply to the examining physician a statement of the person's medical history that includes past and present diseases, injuries, operations, immunization status, and medications taken.
- F.** Medical examination. The examining physician shall review the person's medical history and examine the person.
- G.** Examination report. The examining physician shall record the findings of the medical examination on a form prescribed by the Board. The physician shall indicate whether a medical, physical, or mental circumstance in Category II or III exists, describe how the circumstance affects the person's ability to perform the duties of a peace officer, and specify the type and duration of any treatment required. In all Category II or III cases, the physician shall advise the appointing agency in writing of any limitation on the person's ability to function as a peace officer.
- H.** Category II and Category III reviews. The diagnosis of a person with a circumstance classified in Category II or Category III by an examining physician who is not Board trained shall be reviewed by a Board-trained physician if the agency intends to appoint the person. The Board-trained physician may review prior medical examination reports concerning the person and contact examining physicians to review their findings. If required by the Board-trained physician, an independent medical examination shall be conducted, if the agency wishes to appoint the person, and the person shall be referred to a specialist in the appropriate medical field.
- I.** Additional findings. The appointing agency may submit to the Board results of additional examinations or tests, or obtain additional opinions from other licensed physicians.
- J.** This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective January 11, 2003 (Supp. 02-3).

**R13-4-108. Agency Records and Reports**

- A.** Agency reports. On forms prescribed by the Board, an agency shall submit:
1. A report by the agency head attesting that the requirements of R13-4-105 are met for each person appointed. The report shall be submitted to the Board before a person attends an academy or performs the duties of a peace officer.
  2. A report of the termination of a peace officer. The report shall be submitted to the Board within 15 days of the termination and include:
    - a. The nature of the termination and effective date;
    - b. A detailed description of any termination for cause; and
    - c. A detailed description of, and supporting documentation for, any cause existing for suspension or revocation of certified status.
- B.** Agency records. An agency shall make its records available upon the request of the Board or staff. The agency shall maintain the following for each person for whom certification is sought:
1. An application file that contains all of the information required in R13-4-103(E) and R13-4-106(C) for each person appointed for certification as a peace officer;
  2. A copy of reports submitted under subsection (A);
  3. A signed copy of the affirmation to the Code of Ethics required under R13-4-105;
  4. A written report of the results of a completed or partially completed background investigation and all written documentation obtained or recorded under R13-4-106;
  5. A completed medical report required under R13-4-105; and
  6. A record of all continuing training, proficiency training, and firearms qualifications conducted under R13-4-111.
- C.** Record retention. An agency shall maintain the records required by this Section as follows:
1. For applicants investigated under R13-4-106 who are not appointed: three years;
  2. For applicants who are appointed: five years from the date of termination, except records retained under subsection (B)(6) shall be retained for three years following completion of training.

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). Refer-

ences to “Council” changed to “Board” (Supp. 94-3).  
Amended by final rulemaking at 8 A.A.R. 3201, effective  
July 11, 2002 (Supp. 02-3).

**R13-4-109. Denial, Revocation, Suspension, or Cancellation of Peace Officer Certified Status**

- A.** Causes for denial, suspension, or revocation. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:
1. Failure to satisfy a minimum qualification for appointment listed in R13-4-105;
  2. Willfully providing false information in connection with obtaining or reactivating certified status;
  3. A medical, physical, or mental disability that substantially limits the person’s ability to perform the duties of a peace officer effectively, or may create a reasonable probability of substantial harm to the person or others, for which a reasonable accommodation cannot be made;
  4. Violation of a restriction or requirement for certified status imposed under R13-4-109.01, or R13-4-103(F);
  5. The illegal use of marijuana, a dangerous drug, or a narcotic;
  6. Unauthorized use of or being under the influence of spirituous liquor on duty;
  7. The commission of a felony, an offense that would be a felony if committed in this state, or an offense involving dishonesty, unlawful sexual conduct, or physical violence;
  8. Malfeasance, misfeasance, or nonfeasance in office; or
  9. Any conduct or pattern of conduct that tends to disrupt, diminish, or otherwise jeopardize public trust in the law enforcement profession.
- B.** Cause for cancellation. The Board shall cancel the certified status of a peace officer if the Board determines that the person was not qualified when certified status was granted, and revocation is not warranted under subsection (A).
- C.** Cause for mandatory revocation. Upon the receipt of a certified copy of a judgment of a felony conviction of a peace officer, the Board shall revoke certified status of the peace officer.
- D.** Action by the Board. Upon receipt of information that cause exists to deny certification, or to cancel, suspend, or revoke the certified status of a peace officer, the Board shall determine whether action is to be initiated regarding the retention of certified status. The Board may conduct additional inquiries or investigations to obtain sufficient information to make a fair determination.
- E.** Notice of action. The Board shall notify the affected person of Board action to initiate proceedings regarding certified status for a cause listed under subsection (A) or (B). The notice shall be served as required by A.R. S. § 41-1092.04, and specify the cause for the action. Within 30 days of delivery, the person named in the notice shall advise the Board or its staff in writing whether a hearing is requested. Failure to file a written request for hearing at the Board offices within 30 days of service of the notice constitutes a waiver of the right to a hearing.
- F.** Effect of agency action. Action by an agency or a decision resulting from an appeal of that action does not preclude action by the Board to deny, cancel, suspend, or revoke the certified status of a peace officer.

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to “Council” changed to “Board” (Supp. 94-3).  
Amended by final rulemaking at 8 A.A.R. 3201, effective  
July 11, 2002 (Supp. 02-3).

**R13-4-109.01. Restriction of Certified Peace Officer Status: Training or Qualification Deficiencies**

- A.** Restricted status. The Board shall restrict certified status if a peace officer fails to satisfy the requirements of R13-4-111.
1. The Board shall consider reports of training or qualification deficiencies at a regularly scheduled public meeting and provide a peace officer alleged to have a training or qualification deficiency the opportunity to be heard without referral to an independent hearing officer. The issue at the public meeting shall be restricted to whether the peace officer has successfully completed the required training or qualification and can produce documentation to verify it.
  2. A restriction shall remain in effect until the training or qualification requirement is met and the peace officer files written verification of the training or qualification with the Board.
  3. The Board shall provide notice of action and hearing, or reinstatement following a restriction under this Section by regular mail to the peace officer at the employing agency address. The Board shall provide a copy of the restriction or reinstatement notice by regular mail to the agency head.
- B.** Firearms qualification. If a peace officer fails to satisfy R13-4-111(C), the peace officer shall not carry or use a firearm on duty.
- C.** Continuing and proficiency training. If a peace officer fails to satisfy R13-4-111(A) or (B), the peace officer shall not engage in enforcement duties, carry a firearm, wear or display a badge, wear a uniform, make arrests, perform patrol functions, or operate a marked police vehicle.

**Historical Note**

New Section made by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-110. Basic Training Requirements**

- A.** Required training for certified status. A person shall not receive certified status or perform the duties of a peace officer until the person successfully completes basic training as follows:
1. A full-authority peace officer shall complete the 585-hour full-authority peace officer basic course, specified in R13-4-116, at an academy.
  2. A specialty peace officer shall complete a Board-prescribed specialty peace officer basic course or the 585-hour full-authority peace officer basic course, specified in R13-4-116, at an academy.
  3. A limited-authority peace officer shall complete a Board-prescribed limited-authority peace officer basic course or the 585-hour full-authority peace officer basic course, specified in R13-4-116, at an academy.
  4. A limited correctional peace officer shall complete the correctional service officer basic course specified in R13-4-205 and the 48-hour limited correctional peace officer supplement specified in R13-4-116, at the Arizona correctional officer training academy.
- B.** Exceptions. The training requirements in subsection (A) are waived when an agency uses a person:
1. During a riot, insurrection, disaster, or other event that exhausts the peace officer resources of the agency and the person is attending an academy; or
  2. During a field training program that is a component of a basic training program at an academy, when the person is under the direct supervision and control of a certified peace officer.
- C.** Firearms training required.

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1. Unless otherwise specified in this Section, a peace officer shall complete the firearms qualification courses required in R13-4-116(E) Section before the peace officer carries a firearm in the course of duty.
2. Before carrying a firearm in the course of duty, a limited correctional peace officer shall:
  - a. Meet the requirements of R13-4-206, and
  - b. Complete a night-time firearms qualification shoot based on the course of fire described in R13-4-206.
- D. Waiver of required training.** A person whose certified status is lapsed or a person who has functioned in the capacity of a peace officer in another state or for a federal law enforcement agency may apply to the Board for a waiver of required training. If the Board determines that the best interests of the law enforcement profession are served and the public welfare and safety is not jeopardized, the Board shall grant a complete or partial waiver if:
  1. An application and written verification of previous experience and training are submitted by the appointing agency on a form prescribed by the Board;
  2. The person meets the minimum qualifications listed in R13-4-105;
  3. The person complies with the requirements of R13-4-103(E)(1);
  4. The agency complies with the requirements of R13-4-106(C); and,
  5. The person successfully completes an examination measuring the person's comprehension of the peace officer basic course as follows:
    - a. A person who, during the last three years, has at least two years of experience as a peace officer in another state or for a federal law enforcement agency, and whose basic training and in-service training records demonstrate substantial comparability to Arizona's full-authority peace officer basic course, shall take an examination composed of legal and liability issues specific to Arizona from topical areas listed in R13-4-116(E)(1);
    - b. A person whose certification is lapsed shall take a comprehensive examination covering all of the functional areas specified in R13-4-116(E)(1); or
    - c. A person whose out-of-state experience does not meet the criteria of subsection (D)(5)(a), but whose basic training and in-service training records demonstrate substantial comparability to Arizona's full-authority peace officer basic course, shall take a comprehensive examination covering all of the functional areas specified in R13-4-116(E)(1); and
  6. In addition to the written test, the person satisfactorily performs the practical demonstrations of proficiency in physical aptitude, defensive driving, pursuit operations and firearms, including firearms qualifications, as required under R13-4-116(E)(1).
- E.** This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Amended by final rulemaking at 8 A.A.R. 3201, effective January 11, 2003 (Supp. 02-3).

**R13-4-111. Certification Retention Requirements****A. Continuing training required.**

1. The following continuing training standards apply for a peace officer to retain certification:
  - a. A full-authority peace officer shall complete eight hours of continuing training each calendar year beginning January 1, following the date the officer was certified.
  - b. A specialty officer or limited-authority peace officer shall complete eight hours of continuing training every three calendar years beginning January 1, following the date the officer was certified.
  - c. A limited correctional peace officer shall complete eight hours of continuing training every three years beginning on January 1, following the date the officer was certified.
2. Continuing training course standards for peace officers.
  - a. The curriculum for a continuing training course shall consist of advanced or remedial instruction on one or more of the topic areas specified in R13-4-116(E)(1),
  - b. The instructor for a continuing training course shall meet the requirements of R13-4-114(A)(2)(a) or (b), and
  - c. The training provider shall provide to each attendee for audit purposes an attendance verification certificate that includes a statement that the provider believes the course meets the requirements of this Section.
  - d. If the training provider is an agency, the agency shall make available to the Board for audit purposes, attendance rosters and the lesson plan or other information sufficient to determine compliance with this Section.
  - e. If the training provider is an outside provider, such as an individual, a corporation, business, company, or governmental entity, that does not seek confirmation that the course meets the requirements under subsection (A)(3)(c), the outside provider shall provide to the attendees a lesson plan or other information sufficient to determine compliance with this Section, or
  - f. If an outside provider seeks and receives confirmation under subsection (A)(3)(c), the provider shall distribute a copy of the Board's written confirmation to the attendee.
3. Training providers. Courses of continuing training may be conducted by the Board, an agency, or an outside provider.
  - a. All courses for continuing training provided by the Board meet the requirements of this Section.
  - b. Agency-provided training meets the requirements of this Section if all the requirements of subsection (A)(2) are met.
  - c. Outside-provider training meets the requirements of this Section if all the requirements of subsection (A)(2) are met. The Board shall inform an outside provider in writing whether the course meets these requirements if a course package is submitted to the Board, before the training is conducted, that includes:
    - i. A description of the training course that allows the Board to determine whether the course contains advanced or remedial instruction on one or more of the topic areas specified in R13-4-116;
    - ii. The name of the person, or if applicable the institution or organization, providing the train-

- ing with sufficient information to allow the Board to determine whether the requirements of R13-4-114(A)(2)(a) or (b) are met;
      - iii. A course schedule listing the number of instructional hours; and
      - iv. An attestation that the training provider shall make the lesson plan or other information sufficient to determine compliance with this Section available to the Board for audit purposes, and that the requirements of subsection (A)(2)(b) will be met.
    - d. The Board's confirmation that a course conducted by an outside provider meets the requirements of this Section is effective as long as the information submitted to the Board remains accurate and unchanged.
  - 4. A limited correctional peace officer may also satisfy the requirements of this Section with training:
    - a. Approved under R13-4-206,
    - b. Provided by an instructor who meets the requirements of R13-4-205(C)(5), and
    - c. Addressing a topic area enumerated in R13-4-116(E)(4).
  - 5. Required records. A peace officer shall provide to the appointing agency a copy of all documents provided to the peace officer as required under subsection (A)(2)(c), (A)(2)(e), or (A)(2)(f). The documents shall be maintained by the appointing agency and made available for Board audit.
- B. Proficiency training required.**
- 1. To retain certification, each peace officer below the first level supervisory position within the peace officer's appointing agency shall complete eight hours of proficiency training every three years beginning January 1, following the date the peace officer was certified.
  - 2. Proficiency training course standards.
    - a. Proficiency training is training that requires the physical demonstration of one or more performance objectives included in the 585-hour Full-Authority Peace Officer Basic Course under R13-4-116 and also requires the demonstration of the use of judgment in the application of that physical act.
    - b. The curriculum for a proficiency training course shall consist of advanced or remedial instruction on one or more of the following topic areas:
      - i. Defensive tactics and impact weapons,
      - ii. Tactical firearms (not the annual firearms qualification required under this Section),
      - iii. Emergency vehicle operations,
      - iv. Pursuit operations,
      - v. First aid and emergency care,
      - vi. Physical conditioning, and
      - vii. High-risk stops.
    - c. The instructor for a proficiency training course shall meet the requirements of R13-4-114(A)(2)(c).
    - d. The training provider shall provide an attendance verification certificate to each attendee for audit purposes including a statement that the provider believes the course meets the requirements of this Section.
    - e. If the training provider is an agency, the agency shall make available to the Board for audit purposes, the lesson plan or other information sufficient to determine compliance with this Section, and attendance rosters.
  - f. If the training provider is an outside provider, such as an individual, corporation, business, company, or governmental entity that does not seek confirmation under subsection (B)(3)(c) that the course meets the requirements of this Section, the outside provider shall provide to the attendees a lesson plan or other information sufficient to determine compliance with this Section.
  - g. If an outside provider seeks and receives confirmation under subsection (B)(3)(c), the outside provider shall distribute a copy of the Board's written confirmation to the attendee.
3. Training providers. Proficiency training courses may be conducted by the Board, an agency, or an outside provider.
  - a. All courses of proficiency training provided by the Board meet the requirements of this Section.
  - b. Agency-provided proficiency training meets the requirements of this Section if all the requirements of subsection (B)(2) are met.
  - c. Outside-provider training may meet the requirements of this Section. The Board shall inform an outside provider in writing whether the course meets these requirements if a course package is submitted to the Board, before the training is conducted, that includes:
    - i. A description of the training course that allows the Board to determine whether the course contains advanced or remedial instruction on one or more of the topic areas specified in subsection (B)(2);
    - ii. The name of the person, or if applicable the institution or organization, providing the training with sufficient information to allow the Board to determine whether the requirements of R13-4-114(A)(2)(c) are met;
    - iii. A course schedule listing the number of instructional hours; and
    - iv. An attestation that the training provider will make the lesson plan and other information sufficient to determine compliance with this Section available to the Board for audit purposes, and that the requirements of subsection (B)(2)(d) will be met.
  - d. The Board's confirmation that a course conducted by an outside provider meets the requirements of this Section is effective as long as the information submitted to the Board remains accurate and unchanged.
4. A limited correctional peace officer may also satisfy the requirements of this Section with training:
  - a. Approved in R13-4-206,
  - b. Provided by an instructor who meets the requirements of R13-4-205(C), and
  - c. Addressing a topic area enumerated in subsection (B)(2) except (B)(2)(d).
5. Required records. A peace officer shall provide to the appointing agency a copy of all documents provided to the peace officer as required under subsection (B)(2)(d), (B)(2)(f) or (B)(2)(g). The documents shall be maintained by the appointing agency and made available for Board audit.
- C. Firearms qualification required.** A peace officer authorized to carry a firearm shall qualify to continue to be authorized to carry a firearm each calendar year beginning the year following certification. The peace officer shall qualify by completing



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a Board-prescribed firearms qualification course, using a service handgun and service ammunition, and a Board-prescribed target identification and judgment course.

1. Firearms qualification course standards.
  - a. A firearms qualification course is a course;
    - i. Prescribed under R13-4-116(E)(1), or
    - ii. Determined by the Board to measure firearms competency at least as accurately as courses prescribed under R13-4-116(E)(1).
  - b. A firearms qualification course shall include:
    - i. A timed accuracy component;
    - ii. A type and style of target that is equal to, or more difficult than, targets used in a course prescribed under R13-4-116(E)(1); and
    - iii. A success criterion that is equal to, or more difficult than, criteria used in a course prescribed under R13-4-116(E)(1).
2. Firearms target identification and judgment course standards.
  - a. A firearms target identification and judgment course is a course:
    - i. Prescribed under R13-4-116(E)(1), or
    - ii. Determined by the Board to measure target identification and judgment competency at least as accurately as courses prescribed under R13-4-116(E)(1).
  - b. A firearms target identification and judgment course shall include:
    - i. A timed accuracy component;
    - ii. A type and style of target discrimination test that is equal to, or more difficult than, those used in a course prescribed under R13-4-116(E)(1); and
    - iii. A success criterion that is equal to, or more difficult than, criteria used in a course prescribed under R13-4-116(E)(1).
3. Firearms qualification courses and firearms target identification and judgment courses shall be instructed by a firearms instructor meeting the requirements of R13-4-114(A)(2)(c).

- D.** This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3201, effective January 11, 2003 (Supp. 02-3).

#### R13-4-112. Time-frames

- A.** For the purposes of A.R.S. § 41-1073, the Board establishes the following time-frames for peace officer certification:
1. Administrative completeness review time-frame: 90 days.
  2. Substantive review time-frame: 180 days.
  3. Overall time-frame: 270 days.
- B.** The administrative completeness review time-frame begins on the date the Board receives the document required by R13-4-108(A)(1).
1. Within 90 days, the Board shall review the application file and issue to the appointing agency a statement of administrative completeness or a notice of administrative deficiencies that lists each item required by R13-4-105 that is missing.

2. If the Board issues a notice of administrative deficiency, the agency shall submit the missing documents and information within 90 days of the notice. The administrative completeness review time-frame is suspended from the date of the deficiency notice until the date the Board receives the missing documents and information.
  3. If the agency fails to provide the missing documents and information within the 90 days provided, the Board shall close the applicant's file. An applicant whose file is closed and who wants to be certified shall apply again under R13-4-103.
  4. When the file is administratively complete, the Board shall provide written notice of administrative completeness to the agency.
- C.** The substantive review time-frame begins on the date the Board issues the notice of administrative completeness.
1. During the substantive review time-frame, the Board may make one comprehensive written request for additional information.
  2. The agency shall submit to the Board the additional information identified in the request for additional information within 60 days. The time-frame for the Board to finish the substantive review of the application is suspended from the date of the request for additional information until the Board receives the additional information.
  3. The Board shall close the file of an applicant if the additional information requested is not supplied within the 60 days provided. An applicant whose file is closed and who wants to be certified shall apply again under R13-4-103.
  4. When the substantive review is complete, the Board shall grant or deny certification.

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Adopted effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3201, effective January 11, 2003 (Supp. 02-3).

#### R13-4-113. Repealed

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1). Amended effective August 6, 1991 (Supp. 91-3). Reference to "Council" changed to "Board" (Supp. 94-3). Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Section repealed by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### R13-4-114. Minimum Course Requirements

- A.** Instructors. A Board-prescribed course shall be facilitated by an instructor meeting the requirements of this Section.
1. Instructor classifications.
    - a. General instructor. A person qualified to teach topics not requiring a proficiency instructor under subsection (A)(1)(c).
    - b. Specialist instructor. A person, other than an Arizona peace officer, qualified to teach a topic in which the instructor has special expertise but who does not qualify for general instructor status.
    - c. Proficiency instructor. A person qualified to teach a topic area listed in R13-4-111(B)(2)(b).
  2. Instructor qualification standards.
    - a. A general instructor shall meet the requirements of (i) and (iv) of this subsection and either the requirement of (ii) or (iii):

- i. Have two years experience as a certified peace officer;
  - ii. Successfully complete a Board sponsored instructor training course or an instructor training course that contains all of the performance objectives and demonstrations of the Board sponsored instructor course;
  - iii. Possess a community college or university teaching certificate;
  - iv. Maintain instructional competency.
  - b. A specialist instructor shall meet the requirements of (i) and (vi) of this subsection, either (ii) or (iii), and either (iv) or (v):
    - i. Have the nomination of an agency head or the administrator of an academy authorized to provide a basic peace officer course;
    - ii. Possess a professional license or certification other than a peace officer certification that relates to the topics to be taught;
    - iii. Provide documentation that demonstrates the expertise and ability to enhance peace officer training in a special field;
    - iv. Successfully complete a Board-sponsored instructor training course or a training course that contains all of the performance objectives and demonstrations of the Board-sponsored instructor course;
    - v. Possess a community college or university teaching certificate;
    - vi. Maintain instructional competency.
  - c. A proficiency instructor shall meet the requirements of (i) and (iv) of this subsection and either (ii) or (iii):
    - i. Meet the requirements for general instructor;
    - ii. Successfully complete a proficiency instructor course in a topic area listed in R13-4-111(B)(2)(b) that includes a competency assessment to instruct in that area within the 585-hour full-authority peace officer basic course listed in R13-4-116(E);
    - iii. Complete a form prescribed by the Board, that documents advanced training and experience in the topic area including a competency assessment to instruct in that area within the 585-hour full-authority peace officer basic course as listed in R13-4-116(E);
    - iv. Maintain instructional competency.
  - d. A proficiency instructor shall meet the requirements of subsection (A)(2)(c) separately for each topic area listed in R13-4-111(B)(2)(b).
3. Instructional competency. An academy administrator or an agency head shall immediately notify the Board in writing of any instructor:
    - a. Who jeopardizes the safety of students or the public,
    - b. Whose instruction violates acceptable training standards,
    - c. Who is grossly deficient in performance as an instructor, or
    - d. Who is a proficiency instructor and is no longer able to satisfactorily complete the competency assessment to instruct in the instructor's topic area within the 585-hour full-authority peace officer basic course.
  4. Retention of instructor status. If the Board determines that an instructor fails to comply with the provisions of this Section, has an instructional deficiency, or fails to maintain proficiency, any course facilitated by the instructor does not meet the requirements of this Section.
- B. Curriculum Standards.** Curriculum for Board prescribed courses shall meet the following standards.
1. Curriculum.
    - a. Curriculum development shall employ valid, job-based performance objectives and learning activities, and promote student, officer, and public safety, as determined by a scientifically conducted validation study of the knowledge, skills, abilities, and aptitudes needed by the affected category of Arizona peace officer.
    - b. The Board shall maintain and provide upon request, a copy of curricula that meet the standards of this Section.
    - c. Curriculum for a Board-prescribed course shall meet or exceed the requirements of subsection (B)(2), unless otherwise provided in this Section.
  2. Curriculum format standard. Curriculum used for a Board-prescribed course shall consist of the following:
    - a. A general statement of instructional intent that summarizes a desired learning outcome. The statement is broad in scope, has a general statement of desired outcome, and includes long-term or far-reaching learning goals.
    - b. Lesson plans containing:
      - i. Course title,
      - ii. Hours of instruction,
      - iii. Materials and aids to be used,
      - iv. Instructional strategy,
      - v. Topic areas in outline form,
      - vi. Performance objectives or learning activities,
      - vii. Success criteria, and
      - viii. Reference material;
    - c. Performance objectives consisting of at least the following components:
      - i. The learner, which is an individual or group that performs a behavior as the result of instruction;
      - ii. The behavior, which is an observable demonstration by the learner at the end of instruction that shows that the objective is achieved and allows evaluation of the learner's capabilities to perform the behavior; and
      - iii. The conditions, which is a description of the important conditions of instruction or evaluation under which the learner performs the behavior. Unless specified otherwise within the lesson plan, instruction and evaluation will be in written or oral form;
    - d. Learning activities. A student is not required to demonstrate learning of learning activities as a condition for successfully completing the training. Learning activities are subject areas for which performance objectives are not appropriate because either:
      - i. Reliable and meaningful assessment of mastery of the material would be extremely difficult or impossible, or
      - ii. Mastery of the material is not likely to bear a direct relationship to the ability to perform entry-level peace officer job duties;
    - e. The following decimal numbering system to provide a logical means of organization:
      - i. Functional area (1.0, 2.0, 3.0)
      - ii. Topic area (1.1.0, 1.2.0, 1.3.0), and

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- iii. Performance objective or learning activity (1.1.1, 1.1.2, 1.1.3)

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Section repealed; new Section made by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-115. Repealed****Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Section repealed by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-116. Academy Requirements**

- A.** Unless otherwise provided in this Article, only an academy that the Board determines meets the standards prescribed in this Section may provide the basic training required to receive certified peace officer status.
- B.** An academy shall have the following:
  - 1. A classroom with adequate heating, cooling, ventilation, lighting, and space;
  - 2. Chairs with tables or arms for writing;
  - 3. Visual aid devices for classroom presentation;
  - 4. Equipment in good condition for specialized instruction;
  - 5. A safe driving range for conducting the defensive and pursuit driving course;
  - 6. A firing range with adequate backstop to ensure the safety of all persons on or near the range; and
  - 7. A safe location for practical exercises.
- C.** Administrative requirements. An academy shall:
  - 1. Establish and maintain written policies, procedures, and rules concerning the operation of the academy, entrance requirements, and student and instructor conduct;
  - 2. Admit only persons who meet the requirements of R13-4-105, as attested to by the appointing agency on a form prescribed by the Board;
  - 3. Administer to each student at the beginning of each academy session a written examination prescribed by the Board measuring competency in reading and writing English;
  - 4. Administer a standardized comprehensive examination prescribed by the Board to all students before graduation; and
  - 5. Ensure that all instructors are qualified under R13-4-114(A).
- D.** Academic requirements. An academy shall:
  - 1. Establish a curriculum with performance objectives and learning activities that meet the requirements of R13-4-114(B) and subsection (E) of this Section;
  - 2. Require instructors to use lesson plans that cover the course content and list the performance objectives to be achieved and learning activities to be used;
  - 3. Administer written, oral, or practical demonstration examinations that measure the attainment of performance objectives;
  - 4. Review examination results with each student. The student shall make and understand any necessary corrections and sign and date an acknowledgment that the student participated in the review;
  - 5. Require a student to successfully complete an examination in each topic area before graduating.
    - a. Successful completion of a written or oral examination is a score of 70 percent or greater.
- E.** Basic course requirements. An academy shall use curricula that meet the requirements of R13-4-114 for the following basic courses of instruction.
  - 1. The 585-hour full-authority basic peace officer course shall include all of the topics listed in each of the following functional areas:
    - a. Functional Area I - Introduction to Law Enforcement.
      - i. Criminal justice systems,
      - ii. History of law enforcement,
      - iii. Law enforcement services,
      - iv. Supervision and management,
      - v. Ethics and professionalism, and
      - vi. Stress management.
    - b. Functional Area II - Law and Legal Matters.
      - i. Introduction to criminal law,
      - ii. Laws of arrest,
      - iii. Search and seizure,
      - iv. Rules of evidence,
      - v. Summonses, subpoenas, and warrants,
      - vi. Civil process,
      - vii. Administration of criminal justice,
      - viii. Juvenile law and procedures,
      - ix. Courtroom demeanor,
      - x. Constitutional law,
      - xi. Substantive criminal law, A.R.S. Titles 4, 13, and 36, and
      - xii. Liability issues.
    - c. Functional Area III - Patrol Procedures.
      - i. Patrol and observation (part 1),
      - ii. Patrol and observation (part 2),
      - iii. Domestic violence,
      - iv. Mental illness,
      - v. Crimes in progress,
      - vi. Crowd control formations and tactics,
      - vii. Bomb threats and disaster training,
      - viii. Intoxication cases,
      - ix. Communication and police information systems,
      - x. Hazardous materials,
      - xi. Bias-motivated crimes,
      - xii. Fires, and
      - xiii. Civil Disputes.
    - d. Functional Area IV - Traffic Control.
      - i. Impaired driver cases,
      - ii. Traffic citations,
      - iii. Traffic collision investigation,
      - iv. Traffic collision (practical),
      - v. Traffic direction, and

- vi. Substantive Traffic Law, A.R.S. Title 28.
- e. Functional Area V - Crime Scene Management.
  - i. Preliminary investigation and crime scene management,
  - ii. Crime scene investigation (practical),
  - iii. Physical evidence procedures,
  - iv. Interviewing and questioning,
  - v. Fingerprinting,
  - vi. Sex crimes investigations,
  - vii. Death Investigations (including training certified by the Department of Health Services on sudden infant death syndrome),
  - viii. Organized crime activity,
  - ix. Investigation of specific crimes, and
  - x. Narcotics and dangerous drugs.
- f. Functional Area VI - Community and Police Relations.
  - i. Cultural awareness,
  - ii. Victimology,
  - iii. Interpersonal communications,
  - iv. Crime prevention, and
  - v. Police and the community.
- g. Functional Area VII - Records and Reports. Report writing.
- h. Functional Area VIII - Police Proficiency Skills.
  - i. First aid,
  - ii. Firearms training (including firearms qualification),
  - iii. Physical conditioning,
  - iv. High risk stops,
  - v. Defensive tactics,
  - vi. Vehicle operations, and
  - vii. Pursuit operations.
- i. Functional Area IX - Orientation and Introduction.
  - i. Examinations and reviews,
  - ii. Counseling, and
  - iii. Non-Board specified courses.
- 2. The specialty peace officer basic course shall include all of the topics necessary from the 585-hour full authority basic peace officer course for the curriculum to meet the requirements of R13-4-114(B).
- 3. The limited-authority peace officer basic course shall include all of the topics necessary from the 585-hour full authority basic peace officer course for the curriculum to meet the requirements of R13-4-114(B).
- 4. The 48-hour limited correctional peace officer supplement course shall include all of the topics listed in the following functional areas:
  - a. Functional Area I - Introduction to Law Enforcement: Management and Supervision.
  - b. Functional Area II - Law and Legal Matters.
    - i. Laws of arrest, and
    - ii. Search and seizure.
  - c. Functional Area III - Patrol Procedures.
    - i. Patrol and observation, and
    - ii. Bias-motivated crimes.
  - d. Functional Area IV - Crime Scene Management.
    - i. Preliminary investigation, and
    - ii. Crime scene management.
  - e. Functional Area V - Proficiency Skills.
    - i. First aid, and
    - ii. Firearms training.
  - f. Administrative functions such as orientation, introductions, examinations and reviews, and counseling are exempt from the requirements of R13-4-114(B).
- F. Records required. An academy administrator shall ensure that the following records are maintained and make them available for inspection by the Board or staff. An academy shall provide to the Board copies of records upon request.
  - 1. A record of all students attending the academy;
  - 2. A manual containing the policies, procedures, and rules of the academy;
  - 3. A document signed by each student attending the academy indicating that the student has received and read a copy of the academy policies, procedures, and rules;
  - 4. An application from the appointing agency for each student in attendance attesting that the requirements of R13-4-105 are met;
  - 5. A copy of all lesson plans used by instructors and after the initial inspection under subsection (H), the academy administrator shall annually review and approve each lesson plan used in the academy, and shall sign and date an acknowledgment of approval for each lesson plan;
  - 6. A copy of all examinations, answer sheets or records of performance, and examination review acknowledgments;
  - 7. An attendance roster for all classes or other record that identifies absent students;
  - 8. A record of classes missed by students attending the academy and the remedial training they received;
  - 9. A record of disciplinary actions for all persons attending the academy; and
  - 10. A file for each person attending the academy containing that person's performance history.
- G. Reports required. The academy administrator shall submit to the Board:
  - 1. At least ten working days before the start of each academy session, a complete schedule of classes containing the name of the instructor for each class and the training location;
  - 2. No more than five working days after the start of each academy session, a roster containing the appointing agency, full name, and social security number of each student in attendance;
  - 3. No more than five working days after the dismissal of a student attending an academy from the academy, notification of the dismissal and the reason;
  - 4. On the tenth day of each month a report containing:
    - a. A summary of training activities and progress of the academy class to date;
    - b. Unusual occurrences, accidents, or liability issues; and
    - c. Other problems or matters of interest noted in the course of the academy, if not included under subsection (H)(4)(b);
  - 5. No more than ten working days after the end of each academy session, a complete schedule of classes containing the name of the instructor for each class and the training location;
  - 6. No more than ten working days after the end of each academy session, a roster containing the appointing agency, full name and social security number of each person successfully completing the training, on a form prescribed by the Board.
- H. Required inspections. Before an academy provides training to persons seeking certification for any category of peace officer, the Board staff shall conduct an onsite inspection of the academy to determine compliance with this Section and R13-4-114. Board staff shall conduct additional inspections as often as the Board deems necessary. Following an inspection:
  - 1. Within 30 days of the inspection, the Board staff shall provide to the academy administrator an inspection report

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including any remedial action the academy is required to take to comply with the standards of this Section and R13-4-114;

2. Within 30 days of receipt of the inspection report, the academy administrator shall submit a response that identifies the remedial action taken or to be taken to correct any deficiencies described in the report.
  3. Within 30 days of receipt of notice that all remedial action has been completed, Board staff shall conduct another inspection.
  4. Following each inspection, Board staff shall present an inspection report to the Board describing the academy's compliance in meeting the standards of this Section and R13-4-114.
- I.** When an academy ceases to conduct a basic peace officer course for 12 consecutive months, the academy shall not provide training until Board staff conducts another inspection as required by subsection (H). Otherwise, an academy may continue to provide training unless the Board determines that the academy is not in compliance with the standards of this Section and R13-4-114.
- J.** If the Board finds that an academy fails to comply with the provisions of this Section or R13-4-114, the academy may not provide training to persons seeking to be certified as peace officers.

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Amended effective October 20, 1995; filed with the Secretary of State April 20, 1995 (Supp. 95-2). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-117. Training Expense Reimbursements**

- A.** Approval of training courses. The Board shall approve or deny training courses for training expense reimbursement based on compliance with this Section and R13-4-111, and availability of funds.
- B.** Application for reimbursement. Before the beginning of a training program described in R13-4-111, an agency planning to participate in the training and apply for reimbursement, shall notify the Board on prescribed forms.
- C.** Claim for reimbursement. When a person completes a training course, the appointing agency may submit a claim for reimbursement on a form prescribed by the Board. The claim shall be submitted within 60 days after completion of training.
- D.** Allowable reimbursements. The Board shall allow the following reimbursements subject to the limits on the amount of reimbursement as determined by the Board under subsection (E):
1. The actual cost of lodging and meals while a peace officer attends a training course,
  2. The actual pay a peace officer received while attending a training course,
  3. Tuition for a training course on a pro rata basis for the actual hours of training attended, and
  4. Other expenses incurred by a peace officer.
- E.** Limitations on reimbursements. The following limitations apply to applications for reimbursement involving training courses.
1. The Board shall not reimburse an agency if the peace officer has previously completed the same training course within three years.
  2. The Board shall not reimburse an agency for a peace officer who fails to complete a training course except upon request of the appointing agency. The agency shall

present the reasons for the non-completion to the Board with the request for reimbursement.

3. The Board may pay salary reimbursement for a training course only for the actual hours of training attended at the percentage rate established by the Board.
  4. The Board shall not reimburse an agency for payment of insurance, medical, pension, uniform, clothing, equipment, or other benefits or expenses of a peace officer while attending a training course.
- F.** Academy reimbursement. The Board may reimburse an academy for the actual costs of materials, books, ammunition, registration fees and tuition, necessary for completion of a basic course up to the limits set by the Board. To receive reimbursement an academy shall furnish paid receipts or invoices or other information as required by the Board to verify costs incurred. The Board shall not reimburse an academy for costs incurred for registration fees, tuition, books, materials, or ammunition for a peace officer, if the Board has made these reimbursements for the peace officer's previous attendance at an academy.

**Historical Note**

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-118. Hearings; Rehearings**

- A.** If a respondent makes a proper request for hearing under R13-4-109(E), the hearing shall be held in accordance with A.R.S. Title 41, Chapter 6, Article 10.
- B.** If a respondent fails to comply with the requirements under R13-4-109(E) within 30 days of the notice of action sent under R13-4-109(E), the Board may consider the case based on the information available.
- C.** If a respondent requests a hearing, but fails to appear at the hearing, the Board or administrative law judge may vacate the hearing. If a hearing is vacated, the Board may deem the acts and violations charged in the notice of action admitted, and impose any of the sanctions provided by A.R.S. § 41-1822(C)(1).
- D.** The Board shall render a decision in writing. The Board shall serve notice of the decision upon each party as required by A.R.S. § 41-1092.04.
- E.** A party may file a motion for rehearing or reconsideration of the decision with the Board not later than 30 days after service of the Board's decision, specifying the particular grounds for the motion.
- F.** The Board may grant a rehearing or reconsideration of a decision for any of the following reasons materially affecting the moving party's rights:
1. Irregularity in the administrative proceedings, or any abuse of discretion that deprives the moving party was deprived of a fair hearing;
  2. Misconduct of the Board, the administrative law judge, or the prevailing party;
  3. Mistake or surprise that could not have been prevented by ordinary prudence;
  4. Newly discovered material evidence that could not with reasonable diligence have been discovered and produced at the hearing;
  5. Error in the admission or rejection of evidence or other errors of law occurring at the hearing; or
  6. The decision was not justified by the evidence or the decision was contrary to law.
- G.** The Board may affirm or modify the decision or grant a rehearing to any or all of the parties, on part or all of the issues,

for any of the reasons in subsection (F). An order granting a rehearing shall specify the particular issues in the rehearing and the rehearing shall concern only the matters specified.

#### Historical Note

Adopted effective March 23, 1989 (Supp. 89-1). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

### ARTICLE 2. CORRECTIONAL OFFICERS

#### R13-4-201. Definitions

In this Article, unless the context otherwise requires:

"Academy" means the Correctional Officer Training Academy (COTA) of the Arizona Department of Corrections in Tucson, Arizona, or a satellite location authorized by the Director.

"Appointment" means the selection of a person as a correctional officer.

"Applicant" means an person who applies to be a correctional officer.

"Board" is defined in A.R.S. § 41-1661(2).

"Cadet" means an applicant who meets the requirements for appointment as a correctional officer and is selected to attend the academy.

"Correctional officer" is defined in A.R.S. § 41-1661(3).

"Dangerous drug or narcotic" is defined in R13-4-101.

"Department" means the Arizona Department of Corrections.

"Director" is defined in A.R.S. § 41-1661(4).

"Employing agency" is defined in A.R.S. § 41-1661(5).

"Experimentation" means the illegal use of marijuana, a dangerous drug, or narcotic, as described in R13-4-105(B) and (C).

"State correctional officer" means a person employed by the Department in the correctional service officer and correctional program officer series.

#### Historical Note

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). Reference to "Council" changed to "Board" and definitions relabeled accordingly (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### R13-4-202. Uniform Minimum Standards

A. To be admitted to the academy for training as a state correctional officer, a person shall:

1. Be a citizen of the United States or be eligible to work in the United States;
2. Be at least 21 years of age;
3. Be a high school graduate or have successfully completed a General Education Development (G.E.D.) examination or equivalent as specified in R13-4-203(C)(3);
4. Have a valid Arizona driver's license (Class 2 or higher);
5. Undergo a complete background investigation that meets the standards of R13-4-203;
6. Undergo a physical examination (within 12 months before appointment) as prescribed by the Director by a licensed physician designated by the Director;
7. Not have been dishonorably discharged from the United States Armed Forces;
8. Not have experimented with marijuana within the past 12 months;
9. Not have experimented with a dangerous drug or narcotic within the past five years;

10. Not have ever illegally used marijuana, or a dangerous drug or narcotic other than for experimentation;
11. Not have a pattern of abuse of prescription medication;
12. Not have committed a felony or a misdemeanor of a nature that the Board determines has a reasonable relationship to the functions of the position, in accordance with A.R.S. § 13-904(E).

B. Code of Ethics. To enhance the quality of performance and the conduct and the behavior of correctional officers, a person appointed to be a correctional officer shall commit to the following Code of Ethics and shall affirm the commitment by signing the code, on a form designated by the Board:

"I shall maintain high standards of honesty, integrity, and impartiality, free from any personal considerations, favoritism, or partisan demands. I shall be courteous, considerate, and prompt when dealing with the public, realizing that I serve the public. I shall maintain mutual respect and professional cooperation in my relationships with other staff members.

I shall be firm, fair, and consistent in the performance of my duties. I shall treat others with dignity, respect, and compassion, and provide humane custody and care, void of all retribution, harassment, or abuse. I shall uphold the Constitutions of the United States and the state of Arizona, and all federal and state laws. Whether on or off duty, in uniform or not, I shall conduct myself in a manner that will not bring discredit or embarrassment to my agency or the state of Arizona.

I shall report without reservation any corrupt or unethical behavior that could affect either inmates, employees, or the integrity of my agency. I shall not use my official position for personal gain. I shall maintain confidentiality of information that has been entrusted to me and designated as such.

I shall not permit myself to be placed under any kind of personal obligation that could lead any person to expect official favors. I shall not accept or solicit from anyone, either directly or indirectly, any thing of economic value such as a gift, gratuity, favor, entertainment, or loan, that is or may appear to be, designed to influence my official conduct. I will not discriminate against any inmate, employee, or any member of the public on the basis of race, gender, creed, or national origin. I will not sexually harass or condone sexual harassment of any person. I shall maintain the highest standards of personal hygiene, grooming, and neatness while on duty or otherwise representing the state of Arizona."

#### Historical Note

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). Reference to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

#### R13-4-203. Background Investigation

A. The Department shall conduct a background investigation before an applicant is admitted to the academy. The Department shall review the personal history statement submitted under subsection (B) and the results of the background investigation required in subsection (C) to determine that the person meets the requirements of R13-4-202, and that the person's personal history statement is accurate and truthful.

B. Personal history. An applicant shall complete and submit to the employing agency a personal history statement on a form prescribed by the Board. The history statement shall be completed before the start of the background investigation. It shall contain answers to questions required in subsection (C).

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- C.** Investigative requirements. Before admitting an applicant to the academy, the Department shall collect, verify, and retain documents establishing that an applicant meets the standards specified in this Article. At a minimum, this documentation shall include:
1. Proof of the applicant's age and United States citizenship or eligibility to work in the United States. A copy of any of the following is acceptable proof:
    - a. The applicant's birth certificate,
    - b. United States passport,
    - c. Certification of United States Naturalization,
    - d. Certificate of Nationality, or
    - e. Immigration Form I-151 or I-1551.
  2. Proof of the applicant's valid Arizona driver's license. A copy of the applicant's Arizona driver's license, along with written verification of the driving record from the Arizona Department of Transportation, Motor Vehicle Division, is required proof.
  3. Proof that the applicant is a high school graduate or its equivalent. The following are acceptable proof:
    - a. A copy of a high school diploma, or graduation certificate;
    - b. Successful completion of the Arizona General Education Development (G.E.D.) tests or successful completion of an equivalent test from another state, that meets or exceeds the Arizona Department of Education's requirement for G.E.D. testing;
    - c. In the absence of proof of high school graduation or successful completion of G.E.D. tests,
      - i. A copy of an Associate's Degree or transcript from an accredited college or university showing successful completion of high school equivalency;
      - ii. A certificate issued by the United States Armed Forces Institute (U.S.A.F.I.) before December 31, 1974, showing successful completion of high school equivalency;
      - iii. A United States Military Service Record DD Form 214-#4 with the Education block indicating high school completion, or
      - iv. The applicant may submit other evidence of high school education equivalency for consideration by the Board.
  4. Record of any military discharge. A copy of the Military Service Record (DD Form 214-#4) is acceptable proof.
  5. Results of a psychological fitness assessment approved by the Director and conducted by a psychologist or psychiatrist designated by the Department.
  6. Personal reference and previous employer inquiries. Information provided by at least three personal references and all previous employers of the applicant for the past five years shall be documented by the Department.
  7. Law enforcement agency records. The Department shall request and review law enforcement agency records in jurisdictions where the applicant has lived, worked, or attended school in the past five years. Information obtained shall be documented by the Department.
  8. Results of the Department's query of the National Crime Information Center/Interstate Identification Index (NCIC/III), and the Arizona Criminal Information Center/Arizona Computerized Criminal History (ACIC/ACCH), or the equivalent for each state where the applicant has lived, worked, or attended school in the past five years and review of that criminal history record for any arrest or conviction to determine compliance with R13-4-202.
  9. An applicant fingerprint card processed by the Arizona Department of Public Safety and the Federal Bureau of Investigation.
    - a. The Department shall process an applicant fingerprint card for all cadets entering the academy, except as provided in subsections (C)(9)(b) and (C)(9)(c). Fingerprint cards shall be processed by the Department, even if the applicant has a processed applicant fingerprint card from a previous employer.
    - b. If an applicant fingerprint card is not fully processed when the applicant is ready to enter the academy, the Department may allow the applicant to attend the academy if:
      - i. A computerized criminal history check has been made and the results are on file with the Department, and
      - ii. The applicant meets all other requirements of this Section and R13-4-202.
    - c. If the Department has not received a fully processed fingerprint card within 15 weeks of the date of admission to the academy, the person does not meet the requirements of this Section. Upon receipt of a fully processed card, the person may be re-employed under R13-4-208.

**Historical Note**

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). Reference to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-204. Records and Reports**

- A.** Reports. The Department shall submit to the Board a report by the Director attesting that each person completing the academy meets the requirements of R13-4-202.
- B.** Records. The Department shall make Department records available to the Board upon request of the Board or its staff. The Department shall keep the records in a central location. The Department shall maintain:
1. A copy of reports submitted under subsection (A);
  2. All written documentation obtained or recorded under R13-4-202 and R13-4-203; and
  3. A record of all advanced training, specialized training, continuing education, and firearms qualification conducted under R13-4-206 and R13-4-207.
- C.** Record retention. The Department shall maintain the records required by this Section as follows:
1. For applicants investigated under R13-4-203 who are not appointed: two years; and
  2. For applicants who are appointed: five years from the date of appointment, except records retained under subsection (B)(3), shall be retained for three years.

**Historical Note**

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-205. Basic Training Requirements**

- A.** Required training for state correctional officers. Before appointment as a state correctional officer, a person shall complete a Board-approved basic correctional officer training program. This program shall meet or exceed the requirements of this Section.
- B.** Curricula or training material approval time-frames.
1. For the purposes of A.R.S. § 41-1073, the Board establishes the following time-frames for curricula or training

material that require Board approval under this Section and R13-4-206.

- a. Administrative completeness time-frame: 60 days.
  - b. Substantive review time-frame: 60 days.
  - c. Overall time-frame: 120 days.
2. The administrative completeness review time-frame begins on the date the Board receives the documents required by this Section or R13-4-206.
    - a. Within 90 days, the Board shall review the documents and issue to the Department a statement of administrative completeness or a notice of administrative deficiencies that lists each item required by this Section that is missing.
    - b. If the Board issues a notice of administrative deficiency, the Department shall submit the missing documents and information within 90 days of the notice. The administrative completeness time-frame is suspended from the date of the deficiency notice until the date the Board receives the missing documents and information.
    - c. If the Department fails to provide the missing documents within the 90 days provided, the Board shall deny the approval.
    - d. When the file is administratively complete, the Board shall provide written notice of administrative completeness to the Department.
  3. The substantive review time-frame begins on the date the Board issues the notice of administrative completeness.
    - a. During the substantive review time-frame, the Board may make one comprehensive written request for additional information.
    - b. The Department shall submit to the Board the additional information identified in the request for additional information within 60 days. The time-frame for the Board to finish the substantive review of the application is suspended from the date of the request for additional information until the Board receives the additional information.
    - c. The Board shall deny the approval if the additional information is not supplied within the 60 days provided.
    - d. When the substantive review is complete, the Board shall grant or deny approval.

**C. Basic course specifications.**

1. The Department shall develop the curriculum for the basic correctional officer training program.
  - a. The curriculum shall include courses in the following functional areas.
    - i. Functional Area I - Ethics and Professionalism;
    - ii. Functional Area II - Inmate Management;
    - iii. Functional Area III - Legal Issues;
    - iv. Functional Area IV - Communication Skills;
    - v. Functional Area V - Officer Safety, including firearms;
    - vi. Functional Area VI - Applied Skills;
    - vii. Functional Area VII - Security, Custody, and Control;
    - viii. Functional Area VIII - Conflict and Crisis Management; and
    - ix. Functional Area IX - Medical Emergencies, and Physical and Mental Health.
  - b. The curriculum shall also contain administrative time for orientation, counseling, testing, and remedial training.
2. Curriculum submitted to the Board for approval shall contain lesson plans that include:

- a. Course title,
- b. Hours of instruction,
- c. Materials and aids to be used,
- d. Instructional strategy,
- e. Topic areas in outline form,
- f. Success criteria, and
- g. The performance objectives or learning activities to be achieved.

3. After initial approval, the Director or the Director's designee shall annually review and approve each lesson plan used in the academy. The Director or the Director's designee shall sign and date an acknowledgment of approval for each lesson plan.

4. A performance objective shall consist of three components:

- a. The learner, which is an individual or group that performs a behavior as the result of instruction;
- b. The behavior, which is an observable demonstration by the learner at the end of instruction that shows that the objective is achieved and allows evaluation of the learner's capabilities relative to the behavior.
- c. The conditions, which is a description of the important conditions of instruction or evaluation under which the learner will perform the stated behavior. Unless specified otherwise, the instruction and evaluation shall be in written or oral form.

5. Instructors of basic correctional officer training courses shall meet instructor proficiency requirements developed by the Department and approved by the Board. Instructors shall be qualified by education, experience, or a combination of both, and shall be affirmed by the Department as having the necessary qualifications before delivering any instruction. In addition to these requirements, instructors of courses dealing with the proficiency skills of defensive tactics, physical conditioning, firearms, and medical emergencies shall complete specialized training developed by the Department and approved by the Board. Instructors shall use lesson plans described in subsection (C)(2).

**D. Academic requirements.**

1. Cadets shall be given any combination of written, oral, or practical demonstration examinations capable of measuring their attainment of the performance objectives in each approved lesson plan.
2. Academy staff shall review examination results and academic progress with cadets on a weekly basis. Academy staff shall ensure that cadets are aware of correct responses.
3. Cadets shall complete all examinations before graduating from the academy. To successfully complete a written or oral examination, a cadet shall have a score of at least 70 percent.
  - a. For a student who receives a score of less than 70 percent, the academy shall provide the cadet with remedial training in areas of deficiency.
  - b. The academy shall not offer more than one re-examination per lesson plan.
4. Each cadet shall qualify with firearms as specified in subsection (C). Firearms qualification shall include:
  - a. 50-shot daytime or nighttime qualification course with service handgun. The minimum passing score is 210 points out of a possible 250 points;
  - b. Seven-shot qualification course with service shotgun; and
  - c. Target identification and discrimination course.



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5. Each cadet shall meet success criteria described in the Board-approved curriculum for the proficiency skills of self-defense, physical conditioning, and medical emergencies, as approved under R13-4-205(C).
  6. An academy shall provide cadets who do not attend a lesson with remedial training before graduation.
  7. An academy shall not graduate a cadet who attends less than 90 percent of the total hours of basic training shall not graduate from the academy.
- E.** Exceptions. A cadet shall not function as a state correctional officer except:
1. As a part of an exercise within the approved basic training program at the academy, if the cadet is under the direct supervision and control of a state correctional officer; or
  2. At the discretion of the Director, for the duration of an emergency situation including, but not limited to riots, insurrections, and natural disasters. A cadet shall not carry a firearm in the course of duty unless the cadet has successfully met the requirement of R13-4-205(D)(4).
- F.** Waiver of required training. The Board shall grant a complete or partial waiver of the required basic training, at the request of the Director, upon a finding by the Board that the best interests of the corrections profession are served and the public welfare and safety is not jeopardized by the waiver if:
1. An applicant successfully completes a basic corrections recruit training course comparable to or exceeding, in hours of instruction and subject matter, the Board-approved basic correctional officer training course and has a minimum of one year of experience as a correctional officer. Written verification of previous experience and training shall accompany the application;
  2. An applicant meets the minimum qualifications specified in R13-4-202; and
  3. An applicant successfully completes a comprehensive examination measuring comprehension of the basic correctional officer training course. The examination shall be prepared by the Department and approved by the Board. It shall include a written test and practical demonstrations of proficiency in firearms, physical conditioning, and defensive tactics.
- G.** Certificate of completion time-frame. The Board shall provide certificates of completion for each person named in the Director's attestation made under R13-4-204(A) within 30 days of Board receipt. The Board shall mail certificates of completion to the Director for distribution.

**Historical Note**

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-206. Continuing Training Including Firearms Qualification**

- A.** Continuing training requirement.
1. A state correctional officer shall receive eight hours of Board-approved continuing training each calendar year beginning January 1, following the date the officer received certified status.
  2. A state correctional officer authorized to carry a firearm shall qualify each calendar year after appointment beginning January 1, following the date the officer received certified status, on a Board-approved course of fire, under subsection (E). Firearms qualification shall not be used to satisfy the requirements of R13-4-206(B).
- B.** Continuing training requirements may be fulfilled by:

1. Advanced training programs, or
  2. Specialized training programs.
- C.** Advanced training programs. The Department shall develop, design, implement, maintain, evaluate, and revise advanced training programs that include courses enhancing a correctional officer's knowledge, skills, or abilities for the job that the correctional officer performs. The courses within this program shall be approved by the Board and include advanced or remedial training in any topic listed in R13-4-205(C).
- D.** Specialized training programs. The Department shall develop, design, implement, maintain, evaluate, and revise specialized training programs that address a particular need of the Department and target a select group of officers. The courses within this program shall be approved by the Board and include topics different from those in the basic corrections training program or any advanced training programs.
- E.** Firearms qualification required. A correctional officer authorized to carry a firearm shall qualify to continue to be authorized to carry a firearm each calendar year beginning the year following the receipt of certified status by completing a Board prescribed firearms qualification course using a service handgun, service shotgun, and service ammunition, and a Board prescribed target identification and judgment course.
1. Firearms qualification course standards.
    - a. A firearms qualification course is:
      - i. A course prescribed under R13-4-205(C); or
      - ii. A course determined by the Board to measure firearms competency at least as accurately as the course prescribed under R13-4-205(C).
    - b. All courses shall include:
      - i. A timed accuracy component;
      - ii. A type and style of target that is equal to, or more difficult than the targets used under R13-4-205(C); and
      - iii. Success criteria that are equal to, or more difficult than the success criteria used under R13-4-205(C).
  2. Firearms target identification and judgment course standards.
    - a. A firearms target identification and judgment course is:
      - i. A course prescribed under R13-4-205(C); or
      - ii. A course determined by the Board to measure target identification and judgment competency at least as accurately as those prescribed under R13-4-205(C).
    - b. All courses shall include:
      - i. A timed accuracy component;
      - ii. A type and style of target discrimination that is equal to, or more difficult than, those used under R13-4-205(C); and
      - iii. Success criteria that are equal to, or more difficult than, those used under R13-4-205(C).
  3. All courses shall be presented by a firearms instructor meeting the requirements of R13-4-205(C)(5).

**Historical Note**

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). References to "Council" changed to "Board" (Supp. 94-3). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-207. Repealed****Historical Note**

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). References to "Council" changed to "Board" (Supp. 94-3). Section repealed by final rulemak-

ing at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).

**R13-4-208. Re-employment of State Correctional Officers**

- A.** A state correctional officer who terminates employment may be re-employed by the Department within two years from the date of termination if the person meets the requirements of R13-4-202 and R13-4-203, at the time of re-employment.
- B.** A state correctional officer who terminates employment may be re-employed by the Department if re-employment is sought more than two years but less than three years from the original

date of termination, if the person meets the requirements of R13-4-202 and R13-4-203, at the time of re-employment, and completes the waiver provisions of R13-4-205(F).

- C.** A person who seeks re-employment more than three years from date of termination shall meet all the requirements of this Article at the time of re-employment.

**Historical Note**

Adopted effective December 16, 1992, filed June 16, 1992 (Supp. 82-2). Amended by final rulemaking at 8 A.A.R. 3201, effective July 11, 2002 (Supp. 02-3).